



STATE OF WISCONSIN Assembly Journal

Ninety-Eighth Regular Session

WEDNESDAY, February 13, 2008

The Chief Clerk makes the following entries under the above date:

AMENDMENTS OFFERED

Assembly amendment 2 to **Assembly Bill 538** offered by Representative Petrowski.

Assembly amendment 1 to **Assembly Bill 544** offered by Representative Jeskewitz.

Assembly substitute amendment 1 to **Assembly Bill 560** offered by committee on **Energy and Utilities**.

Assembly amendment 2 to Assembly substitute amendment 1 to **Assembly Bill 567** offered by Representative Lothian.

Assembly amendment 2 to **Assembly Bill 599** offered by Representative Wood.

Assembly amendment 1 to **Assembly Bill 671** offered by Representative Strachota.

Assembly amendment 2 to **Assembly Bill 671** offered by Representative Strachota.

Assembly amendment 3 to **Assembly Bill 671** offered by Representatives Fields and Sheridan.

Assembly substitute amendment 1 to **Assembly Bill 729** offered by Representative Wieckert.

Assembly amendment 1 to **Assembly Bill 732** offered by committee on **Agriculture**.

Assembly amendment 1 to **Assembly Bill 735** offered by committee on **Forestry**.

Assembly amendment 1 to **Assembly Bill 763** offered by committee on **Agriculture**.

Assembly amendment 1 to **Senate Bill 269** offered by Representative Suder.

ADMINISTRATIVE RULES

Assembly Clearinghouse Rule 07-017

Relating to the identification of sources subject to the Best Available Retrofit Technology (BART) requirements for visibility protection and the determination of BART for those sources.

Submitted by Department of Natural Resources.
Report received from Agency, February 8, 2008.
To committee on **Natural Resources**.
Referred on February 13, 2008.

Assembly Clearinghouse Rule 07-075

Relating to commercial fishing for yellow perch in zone 1 (Green Bay).

Submitted by Department of Natural Resources.
Report received from Agency, February 8, 2008.
To committee on **Natural Resources**.
Referred on February 13, 2008.

Assembly Clearinghouse Rule 07-088

Relating to national emission standards for hazardous air pollutants for industrial, commercial and institutional boilers and process heaters and potentially affecting small business.

Submitted by Department of Natural Resources.
Report received from Agency, February 8, 2008.
To committee on **Natural Resources**.
Referred on February 13, 2008.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Joint Resolution 99

Relating to: creating fiscal year allowable revenues for the state and local governmental units, returning excess revenue to the taxpayers, requiring electoral approval for certain taxing and spending decisions, and allowing local governmental units to exempt themselves from certain state mandates (first consideration).

By Representatives F. Lasee, Kramer, Lothian, Pridemore, Strachota, Vos, Vukmir and Zipperer; cosponsored by Senators Grothman, Kedzie and Lazich.

To committee on **Ways and Means**.

Assembly Bill 794

Relating to: changes to economic development tax benefit programs, providing an exemption from emergency rule procedures, and requiring the exercise of rule-making authority.

By Representatives Strachota, Jeskewitz, Vos, A. Ott, Townsend, Kleefisch, Ballweg, Hahn and Mursau; cosponsored by Senators Lassa, Sullivan, Roessler, Vinehout, Darling and Kanavas.

To committee on **Jobs and The Economy**.

Assembly Bill 795

Relating to: the production, sale, and distribution of intoxicating liquor, providing an exemption from emergency rule procedures, granting rule-making authority, making an appropriation, and providing a penalty.

By Representatives Van Roy, Nygren, Sheridan, Kreuser, Owens, Shilling, Suder, Montgomery, Townsend, Jorgensen, Jeskewitz, Mursau, Hahn, Nass, Huebsch, J. Fitzgerald, Vruwink and Hixson; cosponsored by Senators Wirch, Darling, Kanavas, Breske, Decker and S. Fitzgerald.

To committee on **State Affairs**.

Assembly Bill 796

Relating to: the requirement to build and maintain partition fences.

By Representatives Petersen, Musser, Mursau and Berceau; cosponsored by Senators Lazich, Grothman, Olsen and Lehman.

To committee on **Property Rights**.

Assembly Bill 797

Relating to: vehicle admission receipt fees for certain members of the armed forces.

By Representatives Bies, Gunderson, Musser, Boyle, Nass, Nerison, Owens and Vos; cosponsored by Senators A. Lasee, Plale, Roessler and Schultz.

To committee on **Tourism, Recreation and State Properties**.

Assembly Bill 798

Relating to: the sale of raffle tickets.

By Representatives Kerkman, Kreuser, Turner, Mursau, Nass, Molepske and Gunderson; cosponsored by Senators Wirch, Olsen and Grothman.

To committee on **State Affairs**.

Assembly Bill 799

Relating to: raffle licenses.

By Representatives Kerkman, Kreuser, Turner, Hahn, Mursau, Nass, Sheridan, Molepske and Gunderson; cosponsored by Senators Wirch, Olsen and Kedzie.

To committee on **State Affairs**.

Assembly Bill 800

Relating to: licenses and limited X-ray machine operator permits to engage in the practice of radiography, creating a radiography examining board, granting rule-making authority, requiring the exercise of rule-making authority, and providing a penalty.

By Representatives Hines, Berceau, Bies, Hahn, Hintz, Kreuser, Mason, A. Ott, Parisi, Staskunas, Townsend, Turner and Van Roy; cosponsored by Senators Lehman, Darling, Miller, Olsen and Risser.

To committee on **Public Health**.

Assembly Bill 801

Relating to: payment of premiums for health or long-term care insurance coverage from annuities under the Wisconsin Retirement System and distributions from deferred compensation accounts.

By Representatives Van Roy, Nygren, Montgomery, Gunderson, Mursau, Hahn, Musser, A. Ott, Kerkman, Boyle and Kaufert; cosponsored by Senators Wirch, Lehman, Lassa and Robson.

To committee on **Labor and Industry**.

Assembly Bill 802

Relating to: payment to witnesses and interpreters for mileage expenses.

By Representatives Kreuser, Bies, Sherman, Sheridan, Grigsby, Berceau, Hahn and Gunderson.

To committee on **Corrections and Courts**.

Assembly Bill 803

Relating to: exempting nonprofit camps from certain town sanitary district or town assessments.

By Representatives Kerkman, Kreuser, Soletski, Townsend, Gunderson, Owens and Mursau.

To committee on **Urban and Local Affairs**.

Assembly Bill 804

Relating to: the authority of the Department of Justice and public nuisance actions.

By Representatives M. Williams, Gronemus, Ballweg, Bies, Gunderson, Mursau, Murtha, Nerison, A. Ott, Petersen, Suder and Tauchen; cosponsored by Senators Grothman, Kedzie, A. Lasee, Olsen and Schultz.

To committee on **Property Rights**.

Assembly Bill 805

Relating to: compensation for the reduction in the fair market value of private real property.

By Representatives M. Williams, Albers, Musser, LeMahieu, Owens, Townsend, Mursau, Gunderson, Gronemus and Wood; cosponsored by Senators Schultz and A. Lasee.

To committee on **Property Rights**.

Assembly Bill 806

Relating to: an official state language, use of English for governmental written expression, and requiring state agencies and local governmental units to provide separate line items for the costs of documents and other materials that are not in English.

By Representatives Honadel, Bies, Davis, Gunderson, Kerkman, Kleefisch, F. Lasee, LeMahieu, Lothian, Mursau, Nass, Nygren, A. Ott, Owens, Petersen, Pridemore, Tauchen, Townsend, Van Roy, M. Williams, Vos, Zipperer and Hahn; cosponsored by Senators Grothman, A. Lasee, Leibham, Roessler and Darling, by request of Representative Roger Roth.

To committee on **Jobs and The Economy**.

Assembly Bill 807

Relating to: the definition of a group health benefit plan and reports by the commissioner of insurance on the effect of changing the definition.

By Representatives F. Lasee, Davis, Gunderson, LeMahieu, Mursau, Nygren, Strachota and Vos; cosponsored by Senators Kanavas, Darling, Roessler and Schultz.

To committee on **Insurance**.

Passage:

Ayes: 10 – Representatives Townsend, Hines, LeMahieu, Strachota, Petersen, Kramer, Krusick, Hintz, Pope–Roberts and Hixson.

Noes: 0.

To committee on **Rules**.

JOHN TOWNSEND

Chairperson

Committee on Aging and Long Term Care

COMMITTEE REPORTS

The committee on **Aging and Long Term Care** reports and recommends:

Assembly Bill 611

Relating to: creating an exception to the prohibition on protective placement or continued protective placement of an individual in a nursing facility (suggested as remedial legislation by the Department of Health and Family Services).

Passage:

Ayes: 10 – Representatives Townsend, Hines, LeMahieu, Strachota, Petersen, Kramer, Krusick, Hintz, Pope–Roberts and Hixson.

Noes: 0.

To committee on **Rules**.

Assembly Bill 612

Relating to: approval of a court order for a minor's placement in or transfer to an inpatient facility (suggested as remedial legislation by the Department of Health and Family Services).

Passage:

Ayes: 10 – Representatives Townsend, Hines, LeMahieu, Strachota, Petersen, Kramer, Krusick, Hintz, Pope–Roberts and Hixson.

Noes: 0.

To committee on **Rules**.

Assembly Bill 616

Relating to: authorization to administer the Program for All-Inclusive Care for the Elderly under the Medical Assistance program (suggested as remedial legislation by the Department of Health and Family Services).

Passage:

Ayes: 10 – Representatives Townsend, Hines, LeMahieu, Strachota, Petersen, Kramer, Krusick, Hintz, Pope–Roberts and Hixson.

Noes: 0.

To committee on **Rules**.

Assembly Bill 674

Relating to: the statewide nursing home bed cap and nursing home bed transfers.

The committee on **Colleges and Universities** reports and recommends:

Assembly Bill 494

Relating to: the membership of a technical college district board that governs a technical college district encompassing a 1st class city.

Assembly Amendment 1 adoption:

Ayes: 8 – Representatives Nass, Ballweg, Jeskewitz, Zipperer, Gottlieb, Shilling, Smith and Hintz.

Noes: 0.

Passage as amended:

Ayes: 7 – Representatives Nass, Ballweg, Jeskewitz, Zipperer, Gottlieb, Shilling and Smith.

Noes: 1 – Representative Hintz.

To committee on **Rules**.

Assembly Bill 577

Relating to: appointment of student members of the Board of Regents of the University of Wisconsin System.

Passage:

Ayes: 8 – Representatives Nass, Ballweg, Jeskewitz, Zipperer, Gottlieb, Shilling, Smith and Hintz.

Noes: 0.

To committee on **Rules**.

STEPHEN NASS

Chairperson

Committee on Colleges and Universities

The committee on **Education Reform** reports and recommends:

Assembly Bill 670

Relating to: the terms of teacher employment contracts.

Passage:

Ayes: 4 – Representatives Pridemore, Nass, Vukmir and J. Ott.

Noes: 2 – Representatives Pope–Roberts and Krusick.

To committee on **Rules**.

DONALD PRIDEMORE

Chairperson

Committee on Education Reform

The committee on **Energy and Utilities** reports and recommends:

Assembly Bill 560

Relating to: regulating the purchase and sale of scrap metal and other metal items, the determination of property value of scrap metal for a theft conviction, creating a civil cause of action regarding scrap metal, and providing a penalty.

Assembly Substitute Amendment 1 adoption:

Ayes: 10 – Representatives Montgomery, Petersen, Hahn, Honadel, Davis, Nerison, Zepnick, Staskunas, Steinbrink and Soletski.

Noes: 0.

Passage as amended:

Ayes: 9 – Representatives Montgomery, Petersen, Honadel, Davis, Nerison, Zepnick, Staskunas, Steinbrink and Soletski.

Noes: 1 – Representative Hahn.

To committee on **Rules**.

Assembly Bill 654

Relating to: eliminating the study related to imposing local general property taxes on public utility property.

Passage:

Ayes: 10 – Representatives Montgomery, Petersen, Hahn, Honadel, Davis, Nerison, Zepnick, Staskunas, Steinbrink and Soletski.

Noes: 0.

To committee on **Rules**.

PHIL MONTGOMERY
Chairperson
Committee on Energy and Utilities

The committee on **Transportation** reports and recommends:

Assembly Bill 591

Relating to: suspending the operating privilege of an underage person who operates a vehicle while having an intoxicant in a vehicle (suggested as remedial legislation by the Department of Transportation).

Passage:

Ayes: 11 – Representatives Petrowski, Bies, A. Ott, Hahn, Van Roy, Davis, Steinbrink, Vruwink, Sheridan, Sherman and Garthwaite.

Noes: 0.

To committee on **Rules**.

Assembly Bill 592

Relating to: the authorization of the secretary of transportation or his or her designee to execute conveyances, contracts, and agreements in the name of the Department of

Transportation (suggested as remedial legislation by the Department of Transportation).

Passage:

Ayes: 11 – Representatives Petrowski, Bies, A. Ott, Hahn, Van Roy, Davis, Steinbrink, Vruwink, Sheridan, Sherman and Garthwaite.

Noes: 0.

To committee on **Rules**.

Assembly Bill 593

Relating to: the issuance of motor vehicle occupational licenses after certain operating privilege suspensions (suggested as remedial legislation by the Department of Transportation).

Passage:

Ayes: 11 – Representatives Petrowski, Bies, A. Ott, Hahn, Van Roy, Davis, Steinbrink, Vruwink, Sheridan, Sherman and Garthwaite.

Noes: 0.

To committee on **Rules**.

Assembly Bill 594

Relating to: operation of unregistered motor vehicles on highways (suggested as remedial legislation by the Department of Transportation).

Passage:

Ayes: 11 – Representatives Petrowski, Bies, A. Ott, Hahn, Van Roy, Davis, Steinbrink, Vruwink, Sheridan, Sherman and Garthwaite.

Noes: 0.

To committee on **Rules**.

Assembly Bill 595

Relating to: certificates of title for vehicles that have been damaged by hail (suggested as remedial legislation by the Department of Transportation).

Passage:

Ayes: 11 – Representatives Petrowski, Bies, A. Ott, Hahn, Van Roy, Davis, Steinbrink, Vruwink, Sheridan, Sherman and Garthwaite.

Noes: 0.

To committee on **Rules**.

Assembly Bill 639

Relating to: electronic access by law enforcement agencies to photographs on motor vehicle operators licenses and identification cards.

Passage:

Ayes: 11 – Representatives Petrowski, Bies, A. Ott, Hahn, Van Roy, Davis, Steinbrink, Vruwink, Sheridan, Sherman and Garthwaite.

Noes: 0.

To committee on **Rules**.

Senate Bill 72

Relating to: ratification of the Midwest Interstate Passenger Rail Compact.

Concurrence:

Ayes: 11 – Representatives Petrowski, Bies, A. Ott, Hahn, Van Roy, Davis, Steinbrink, Vruwink, Sheridan, Sherman and Garthwaite.

Noes: 0.

To committee on **Rules**.

JERRY PETROWSKI
Chairperson
Committee on Transportation

MESSAGE FROM THE SENATE

From: Robert J. Marchant, Senate Chief Clerk.

Mr. Speaker:

I am directed to inform you that the Senate has

Passed and asks concurrence in:

Senate Bill 208

ACTION ON THE SENATE MESSAGE

Senate Bill 208

Relating to: the leasing of land in the Northern Highland–American Legion State Forest for the purpose of gravel extraction.

By Senator Breske.

To committee on **Natural Resources**.

REFERENCE BUREAU CORRECTIONS

Assembly Amendment 1 to **Assembly Bill 682**

1. Page 1, line 3: delete “(b)” and substitute “(B), as affected by P.L. 110–140”.
2. Page 1, line 6: delete “7547 (o) (1) (e)” and substitute “7545 (o) (1) (E), as affected by P.L. 110–140”.
3. Page 1, line 12: after “7545 (o) (2)” insert “, as affected by P.L. 110–140,”.

Assembly Substitute Amendment 1 to **Assembly Bill 781**

1. Page 7, line 23: delete “1” and substitute “31”.

COMMUNICATIONS

February 12, 2008

Patrick Fuller
Assembly Chief Clerk
17 West Main Street, Suite 401
Madison, WI 53708

Dear Chief Clerk Fuller:

Please add my name as a co-author to Assembly Bill 795, relating to the production, sale, and distribution of intoxicating liquor, providing an exemption from emergency rule procedures, granting rule-making authority, making an appropriation, and providing a penalty.

Sincerely,
ROBERT TURNER
State Representative
61st Assembly District

February 12, 2008

Patrick Fuller
Assembly Chief Clerk
17 West Main Street, Suite 401
Madison, WI 53708

Dear Chief Clerk Fuller:

Please add my name as a co-author to Assembly Bill 583, relating to creating an individual income tax deduction for amounts paid for certain energy assistance fees.

Sincerely,
BOB ZIEGELBAUER
State Representative
25th Assembly District

February 12, 2008

Patrick Fuller
Assembly Chief Clerk
17 West Main Street, Suite 401
Madison, WI 53708

Dear Chief Clerk Fuller:

Please add my name as a co-sponsor to Assembly Bill 795, relating to the production, sale, and distribution of intoxicating liquor, providing an exemption from emergency rule procedures, granting rule-making authority, making an appropriation, and providing a penalty.

Sincerely,
LENA TAYLOR
State Senator
4th Senate District

February 12, 2008

Patrick Fuller
Assembly Chief Clerk
17 West Main Street, Suite 401
Madison, WI 53708

Dear Chief Clerk Fuller:

Please add my name as a co-sponsor to Assembly Bill 764, relating to the coverage of long-term care districts under the Wisconsin Retirement System.

Thank you for your assistance with this request. Please contact me if you have any questions or concerns.

Sincerely,
CAROL ROESSLER
State Senator
18th Senate District

State of Wisconsin
Office of the Secretary of State
Madison

To Whom It May Concern:

Acts, Joint Resolutions and Resolutions deposited in this office have been numbered and published as follows:

<u>Bill Number</u>	<u>Act Number</u>	<u>Publication Date</u>
Assembly Bill 75	46	February 22, 2008
Assembly Bill 181	47	February 22, 2008
Assembly Bill 239	48	February 22, 2008
Assembly Bill 454	50	February 22, 2008
Assembly Bill 296	51	February 22, 2008
Assembly Bill 295	52	February 8, 2008
.....	By special instructions	
Assembly Bill 413	54	February 22, 2008

Sincerely,
DOUGLAS LA FOLLETTE
Secretary of State

REFERRAL OF AGENCY REPORTS

State of Wisconsin
Department of Health and Family Services
Madison

February 8, 2008

To the Honorable, the Legislature:

The attached report is submitted to the Legislature pursuant to s. 46.27 (11g) and s. 46.277 (5m) of the Wisconsin statutes which require the Department of Health and Family Services to submit an annual report for the Community Options Program (COP) and the Home and Community-Based Waivers (COP-W/CIP II). The attached report describes the persons served, program expenditures, and services delivered through the COP, COP-Waiver and CIP II programs in calendar year 2006.

The Community Options Program provides services to people who are elderly or who have a physical, developmental or mental disability, and is closely coordinated with all of Wisconsin's Medicaid Home and Community-Based Waivers. With the Department's oversight, county agencies are able to ensure that a comprehensive and individualized care plan is provided, while maintaining program flexibility and integrity, and maximizing federal matching funds.

With warm regards,
KEVIN R. HAYDEN
Secretary

Referred to committee on **Aging and Long-Term Care**.